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LETTER DATED 2 DECEMBER 1991 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

With the Security Council currently reviewing the compliance by Iraq with its relevant resolutions, I am instructed by my Government to convey the following.

1. In connection with the repatriation of all Kuwaiti and third-country nationals, Iraq continues to defy the terms of Security Council resolutions 686 (1991) of 2 March 1991 and 687 (1991) of 3 April 1991. Not only is Iraq refusing immediate release and repatriation of these nationals, but it is also denying the International Committee of the Red Cross access to such persons "wherever located or detained" and not "facilitating the search by the International Committee of the Red Cross for those Kuwaiti and third-country nationals still unaccounted for".

2. In connection with the Boundary Demarcation Commission, Iraq's position is far from being cooperative or constructive. To illustrate, Iraq's representative in the Demarcation Commission placed on record at the meeting held at Geneva on 16 August 1991 "Iraq's objection to the whole operation from its initiation because it does not achieve justice and equity to Iraq's territorial rights". Moreover, Iraq has refused to participate in the meeting of the technical committee of the Demarcation Commission held in Sweden on 19 and 20 August 1991. Iraq has further declined to participate in the work of the survey team of the Demarcation Commission visiting the DMZ area from 2 to 6 November 1991.

3. Notwithstanding the provision of paragraph 2 (d) of resolution 686 (1991) that Iraq immediately begin to return all Kuwaiti property seized by Iraq, the return to be completed in the shortest possible period, Iraq has refused to return property seized from individuals and corporations. Furthermore, property returned so far has not all been intact. For example, property of the National Council for Culture, Art and Letters was found incomplete, and that of Kuwait News Agency is in large part seriously damaged.

4. Iraq is under obligation to cease hostile or provocative actions against Member States. Moreover, while it claims to be cooperating with the United Nations Iraq-Kuwait Observation Mission, Iraq continues to maintain five police posts on Kuwaiti territory. Iraq's violation of the territorial sovereignty of Kuwait is further demonstrated by repeated Iraqi infiltrations into Kuwaiti territory.

Needless to say, the above-mentioned facts indicate that the "policies and practices of the Government of Iraq" are not in implementation of relevant Security Council resolutions. Clearly, what is required of Iraq is implementation in full of all relevant Security Council resolutions.

I should appreciate it if you would bring this letter to the immediate attention of the members of the Security Council, and arrange for its distribution as a document of the Security Council.

(Signed) Mohammad A. ABULHASAN
Ambassador
Permanent Representative